

BOARD OF ADJUSTMENT/SIGN REVIEW BOARD
COMPLETENESS CHECKLIST

C15-2011-0044
TP-0202110411
ROW-10575781

- _____ Application must be typed
- _____ Application must be signed and dated by owner and agent
- _____ Application must have ALL findings (parking portion only required when parking variance is needed) that are applicable fully filled out at time of submittal
- _____ Site plan must be submitted drawn to scale showing present and proposed construction along with existing structures on all adjacent lots
- _____ Approval from Austin Energy if request is for a variance to *height* or *setback* limitations
- _____ Sign Review Board cases must submit site plans showing location, elevations in addition to above requirements
- _____ **If property is located in Williamson County, then contact Williamson County Appraisal District for a list of the property owners names and addresses within a 500 foot radius.**
- _____ Check for application fee: \$360.00 Residential zoning
\$660.00 All other
- _____ Please consider contacting your Neighborhood Assn. about your request.

Please be advised that the Board only takes 16 new cases a month, therefore, first come, first served. Please be advised that a request for reconsideration must be filed within 7 days from the Board meeting.

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 974-2580.

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

CASE # _____
ROW # _____

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

STREET ADDRESS: 2515 East 5th Street Austin TX 78702

LEGAL DESCRIPTION: Subdivision – Chernosky

Lot(s) 14 Block 2 Outlot 11 Division 0

I/We Kelly Behrends on behalf of myself/ourselves as authorized agent for

Platypus Hair Salon _____ affirm that on March 21, 2011,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☐ ERECT ☐ ATTACH ☐ COMPLETE ☒ REMODEL ☐ MAINTAIN

To create a single-stylist hair salon utilizing street parking directly in front of the business. 4 parking spaces are normally required.

4 → 0 parking

in a GR ~~RR~~ CO MU NP _____ district.
(zoning district)

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

The zoning regulations applicable to the property do not allow for a reasonable use because: only one client at a time is scheduled at one-hour intervals. I(Kelly) park in the drive. Two customers can always park in the front of the salon. Street parking is legal on both north and south sides of 5th. There is street parking directly in front of the business even if there is an overlap in clients.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that the lot is extremely narrow with the house built close to the front of the lot. There is no need to create additional parking in that it would not be used. Additionally, the city's goal of reducing impervious ground cover is upheld by not paving additional parking spaces.

The hardship is not general to the area in which the property is located because: this particular business only serves one client at a time and all services are by appointment only.

AREA CHARACTER:

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

According to the Holly Neighborhood Plan "Neighborhood Character and Other Neighborhood Issues" section, Objective 9.1 is to "Promote the style of traditional gardens inherent to the neighborhood." The front and back yard of the property are landscaped with native and adapted plants for a well-kept appearance. Signage will be minimal to maintain a tasteful appearance. In the Holly "Land Use" document, Goal 2 is to "Encourage opportunities to address compatibility between different residential, commercial and industrial uses." Under that goal, Objective 2.4 reads "Encourage locally owned/managed businesses." Objective 2.5 is to "Encourage appropriate uses and scale of commercial." Presently there is a printing warehouse on one end of the block and a towing/collision yard with razor wire on their fence on the other.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because: as per the Holly Neighborhood Land Use document, this property is within a **Commercial Mixed-Use District** (5th/6th/ Chicon/Pleasant Valley) being one of them. Under the Commerical Mixed-Use District, **Objective 1.1 reads** "Promote the mix of uses within the Commercial Mixed-Use District and allow for a transition of uses from 6th Street to 5th Street."

The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

5th street on this block is the same width as it is one block east. That block has bike lanes on both sides as well as marked(free) parking on both sides. Steady traffic of semi trucks, bulldozers, and other heavy equipment have free flow. 5th street can accomodate the same lanes and traffic on this block.

The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

of the scheduled low volume of people coming to the business per day. One per hour. In the Holly Neighborhood Plan "Transportation" section, Goal 6 is to "Maintain roadways and alleys for safe and efficient travel for pedestrians, bicycles, transit and autos." If one car is parked on the street in front of the house, this does not impede safe and efficient travel for any of the above.

The variance will run with the use or uses to which it pertains and shall not run with the site because:

the variance request is for Platypus Hair Salon only

APPLICANT CERTIFICATE - I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed [Signature] Mail Address 2515 East 5th

City, State & Zip Austin TX 78702

Printed Kelly Behrends Phone 512-517-1392 Date March 21, 2011

OWNERS CERTIFICATE I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed [Signature] Mail Address 2515 East 5th

City, State & Zip Austin TX 78702

Printed Kelly Behrends Phone 512-517-1392 Date March 21, 2011

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

VARIANCE REQUIREMENTS:

General Requirements:

A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.

A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.

A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.



BOARD OF ADJUSTMENTS

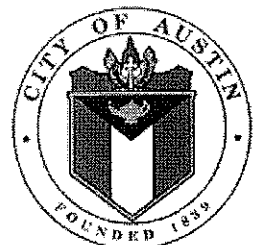
CASE#: C15-2011-0044
 LOCATION: 2515 E 5TH ST
 GRID: K21
 MANAGER: S. WALKER



SUBJECT TRACT

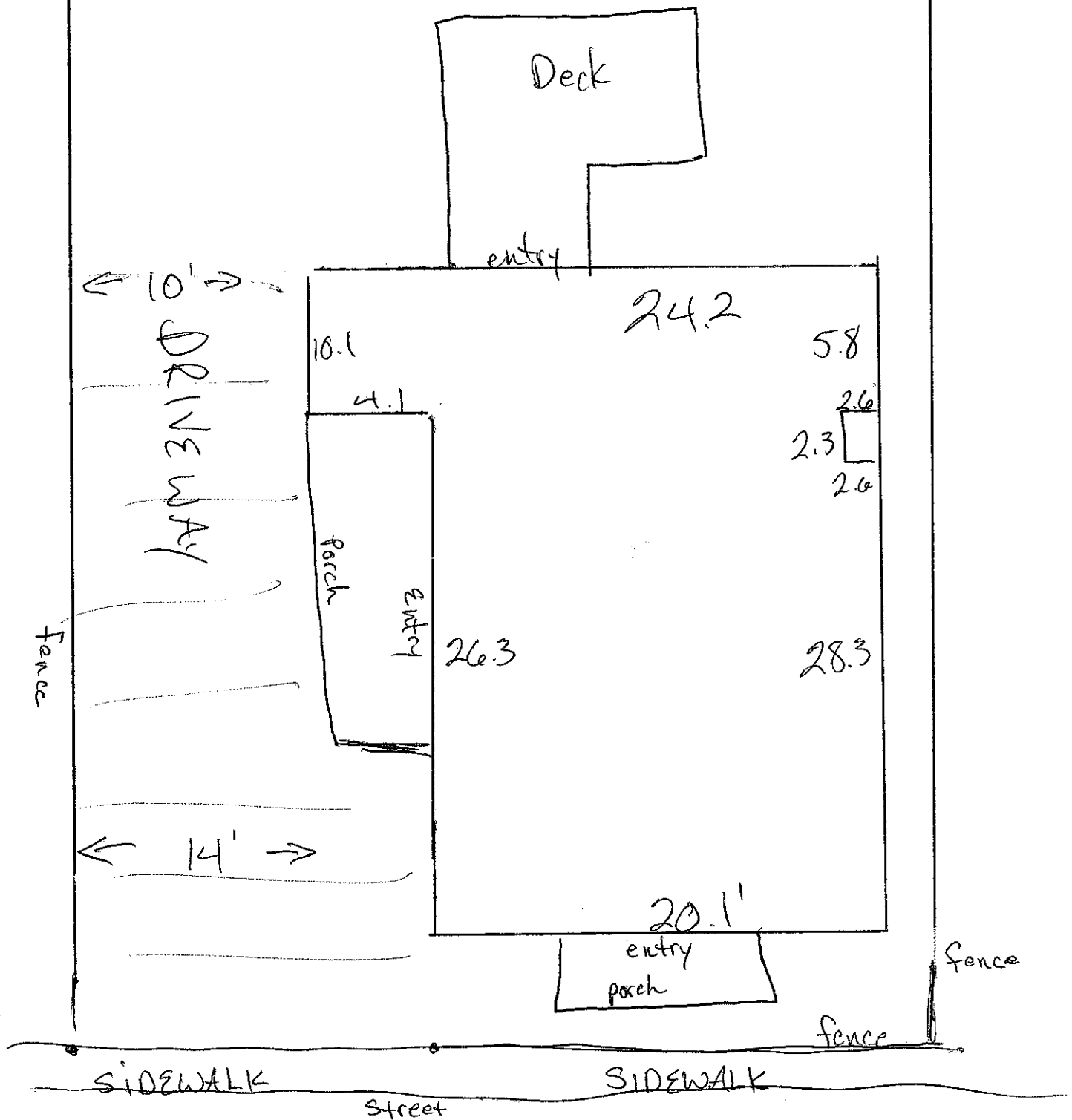


ZONING BOUNDARY

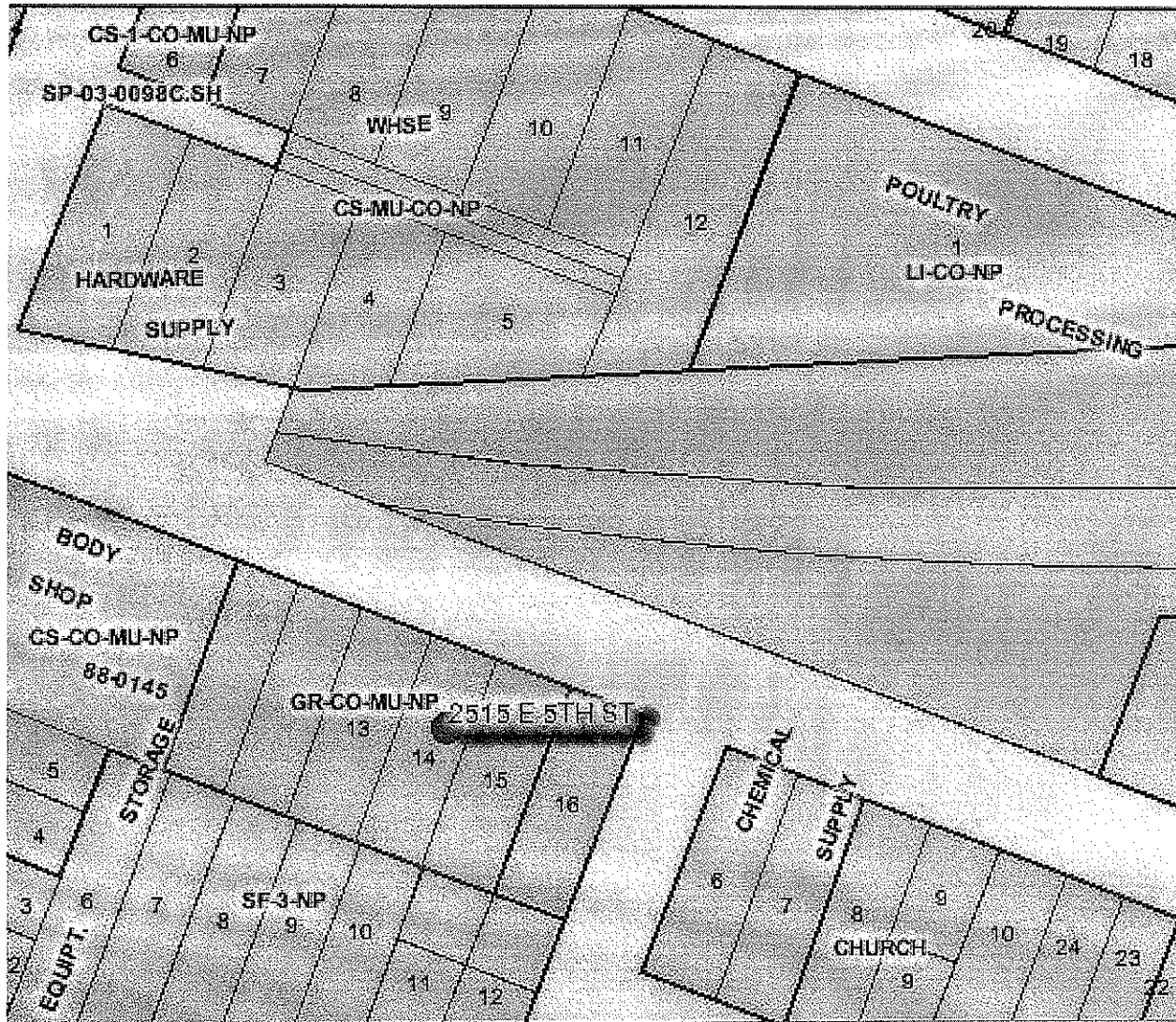


This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

2515 East 5th

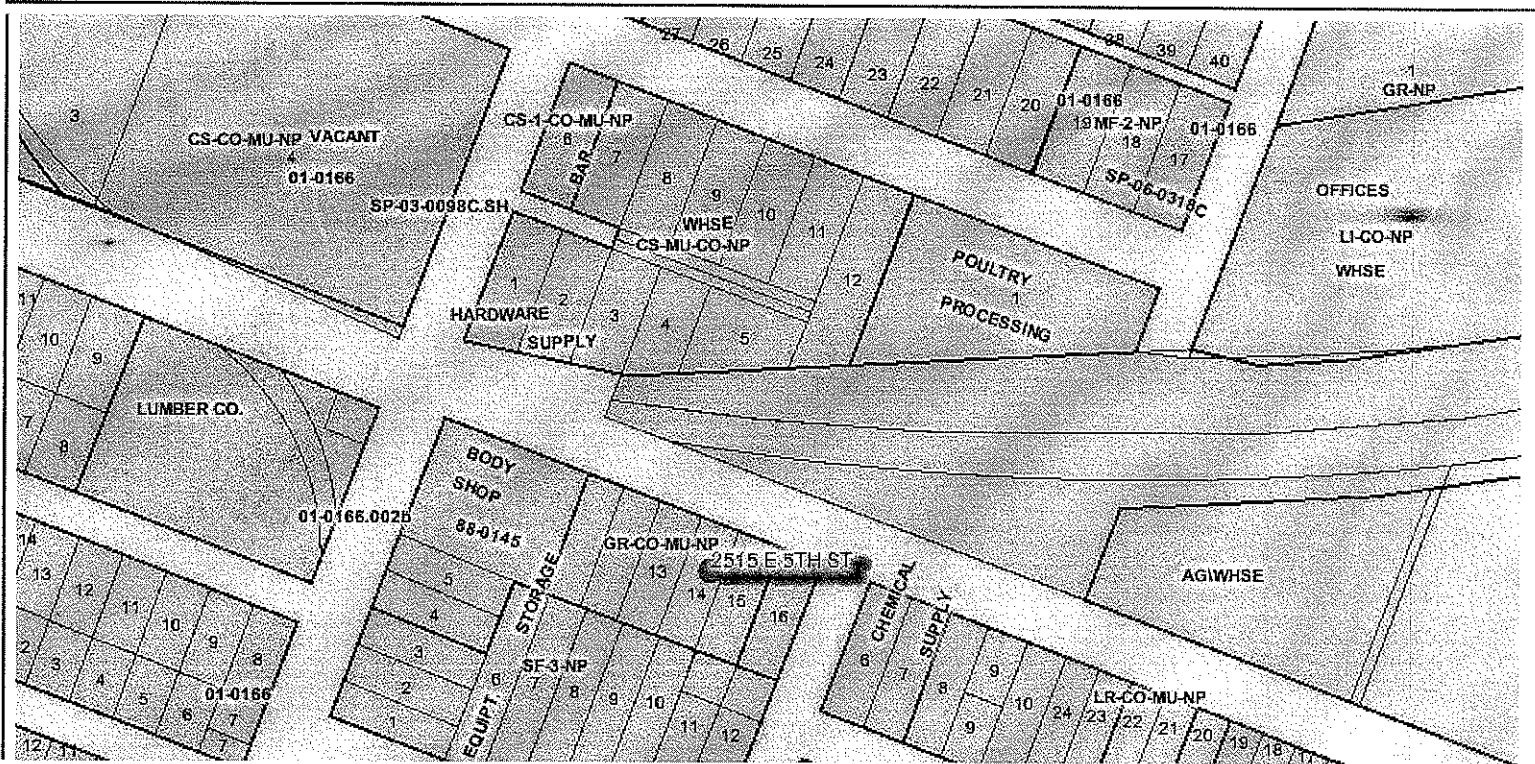


2515 E 5th St



- Legend**
- Lot ID
 - Lot Line
 - Recharge Zone (COA)
 - Zoning Text
 - Zoning
 - TCAD Parcels
 - ZoningProfile

Watershed Protection/Development Review
Development GIS

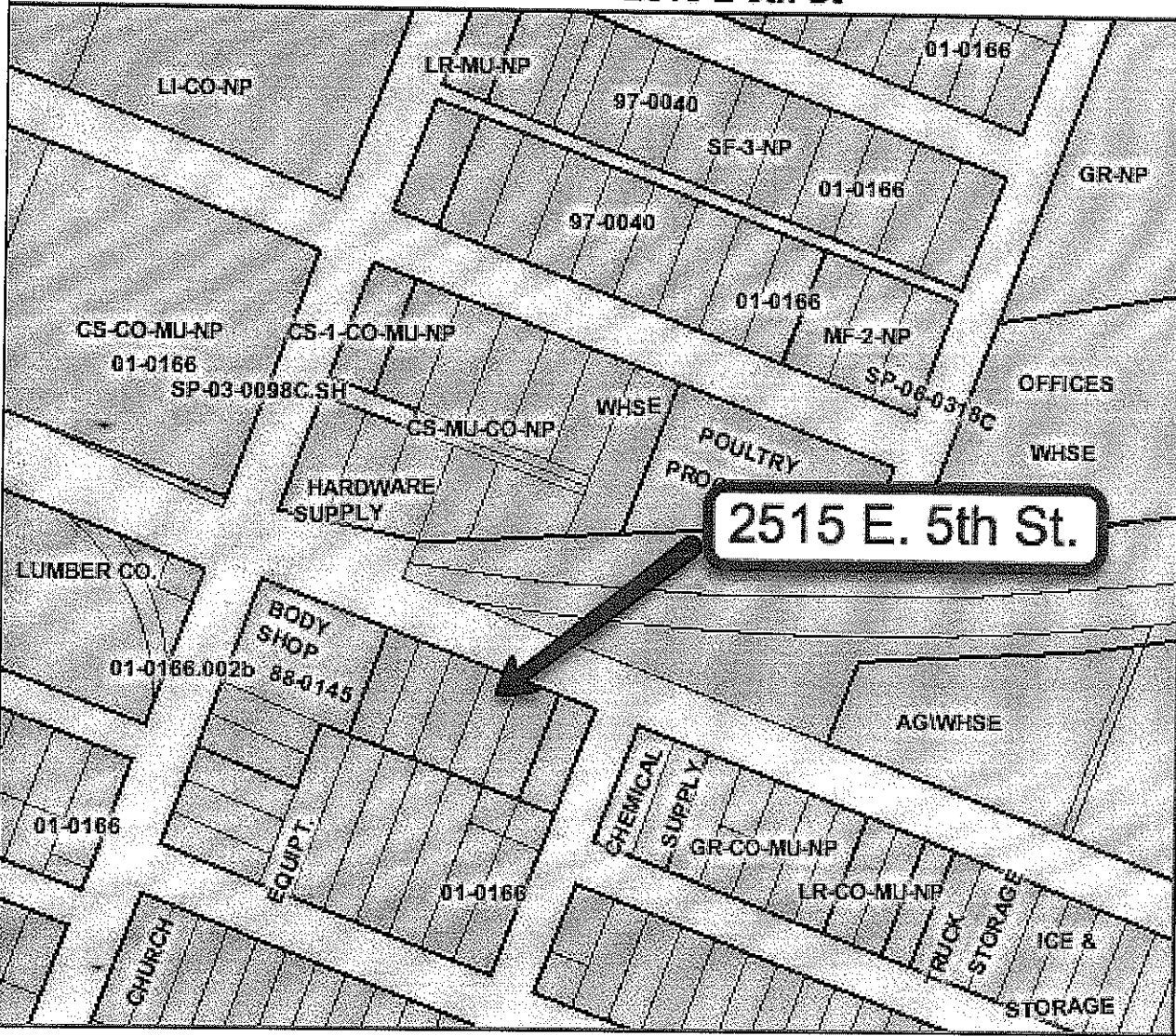


2515 E 5th St



Legend

- Lot Line
- Zoning Text
- Zoning
- TCAD Parcels



Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)

Other Information – Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.

Austin Energy approval

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

REQUIRED FINDINGS: All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

Reasonable Use:

Application must demonstrate to the Board how the zoning regulations applicable to the property do not allow for a reasonable use of the property. [Note: The Board cannot approve a variance for a use that is not allowed in the zoning district in which the property is located. This requires a change in zoning.]

Hardship:

Application must demonstrate to the Board how the hardship for which the variance is requested is unique to the property. Hardship should be specific to the property for which the variance is being requested. (For example, topography, lot configuration, or any physical constraint that would limit the placement of the structure or prevent compliance with required site development regulations, etc.) A strictly financial or personal reason is not a valid hardship.

Application must demonstrate to the Board why the hardship is not general to the area in which the property is located. Describe how the hardship relating to the site is different from other properties in the area.

Area Character:

Application must demonstrate to the Board how the variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the zoning regulations of the zoning district in which the property is located.

Board of Adjustment Staff:

Susan Walker, Planner
974-2202

Diana Ramirez, Administrative Specialist, Board Secretary
974-2241

Fax #974-6536

Planning and Development Review Department
One Texas Center
505 Barton Springs Road, 2nd Floor

Mailing Address:

P. O. Box 1088
Austin, TX 78767-1088

PAGE 3

PAGE 1

APPLICATION WILL BE RETURNED TO YOU AND WILL NOT BE ADDED TO NEXT BOARD OF ADJUSTMENT AGENDA AND CHECK WILL NOT BE DEPOSITED UNTIL ALL OF THE FOLLOWING IS SUBMITTED CORRECTLY. VARIANCES EXPIRE ONE YEAR AFTER APPROVAL DATE PER SECTION 25-1-217 UNLESS BOARD DEEMS OTHERWISE.

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. If your request is for a reduction in setbacks or height limits, then you must receive approval from Austin Energy by contacting Christine Esparza at 322-6112 or email Christine.Esparza@austinenergy.com before filing your application with the Board of Adjustment.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

NOTE: Parking variances require additional findings to be made. The additional findings are listed on the application and must also be completed for submittal of the application.

SCALE 1"=40'



LEGEND

- CALCULATED POINT
- 1/2" DUCT PIPE POINT
- 1/2" REBAR POINT
- 1/4" REBAR POINT
- CHAIN LINE POINT
- WOOD PILE
- ABOVE ESTIMATION
- UTILITY POLE
- OVERHEAD TRUSS LINE

RESTRICTIONS:
SUBJECT TO AN EASEMENT GRANTED TO THE CITY OF AUSTIN RECORDED EXCERPT VOLUME
707, PAGE 124.

SUBDIVISION M.E. CHERNOSEVSKY SUBDIVISION
 LOT: 14 BLOCK: 2 BOOK 4 PAGE 5 PLAT RECORDS
 COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS 2315 EAST 5TH STREET
 CITY: AUSTIN REFERENCE NAME CHELSEA TAYLOR

RECEIVED BY:



THIS PROPERTY DOES NOT LIE WITHIN THE
100 YEAR FLOOD PLAIN AND HAS A 200K "X"
CATANI AS SEEN ON THE FLOOD
INSURANCE RATE MAP
P.L.R.C. MAP No. 48433C0145 D
PAGE: 0145 E

THIS COUNTERFEIT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOODPLAIN ADMINISTRATION FOR THE CURRENT STATUS OF THIS INLET.

ALLSTAR

12731 RESEARCH BLVD
BUILDING A, SUITE 100
AUSTIN, TEXAS 78759
(512) 249-5149 PHONE
(512) 331-5217 FAX

TO THE LITIGATION AND TO THE OFFENSES OF DEFENDERS REPRESENTED BY
LAWYERS TITLE INSURANCE CORPORATION
 I DO HEREBY CERTIFY THAT THE SERVICE WAS THE SAME AS ON THE
 GROUNDS UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF
 THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO
 SIGNIFICANT LINKS OR CONFLICTS OF INTEREST INVOLVING ANY
 SUPERVISORS, OR AGENTS IN PLACE, EXCEPT AS SHOWN HEREON, AND
 CHARGES ONLY TO THE LEGAL DESCRIPTION AND SCHEDULE HEREON BY
 THE DEFENDERS TO THE COMPLETION

START DATE	10/1/2003	
TITLE CO	LAWYERS TITLE INC. CO SP.	
CLY No	3486423	
JOB NO	AWW1701	
ISSUED BY	FRANK WOOD	09/24/2003
PAID BY	ADAM HASTENRZ	10/01/2003
QUAN BY	KEVIN FISK	10/01/2003
CHECKED BY	BENNY HEST	10/12/2003

I'm seeking a variance from city code parking requirements to enable me to change the usage and occupancy at my property at 2515 East 5th Street. I've been conducting a home based occupation for hair styling since the late summer of 2010. I am allowed to do this per city code 25-20500(Home Occupation), and am also allowed to have a small sign facing 5th street, since this has been deemed an official transit corridor by the city (25-10-150 Home Occupation Signs)

In late March of 2011 I received a call from a city code enforcement worker telling me that they had received a call stating there was a business in my house. I was told that I was okay doing work there, but would need to get a change of use permit. I no longer resided in the house after December of 2010.

I had planned to apply for a change of occupancy this summer, but am going through the process now. I am required to have one regular parking space and one van accessible parking space. The property has the required area of 25 x 41.5 feet in the back yard of the property. It is accessible by the driveway. However, the driveway is 10.5 feet from building to property line. Because the driveway would be used by cars entering and leaving the parking area, code would require it to be over 20 feet wide. This would require another variance.

Because the surfaced area to be paved for this parking would include turning the existing two-car deep driveway into impermeable cover, the total is almost 1800 square feet. A site development survey exemption normally is allowable to 1000 square feet. The city code for Land Development(25-5-2 item D.1) states that this may extend to 3000 square feet if the cover is to allow for handicap access. A request for a survey exemption on the grounds that the majority of the new cover would be to allow handicap access to the business was denied. These architectural civil engineering survey requirements greatly exceed financial feasibility for me.

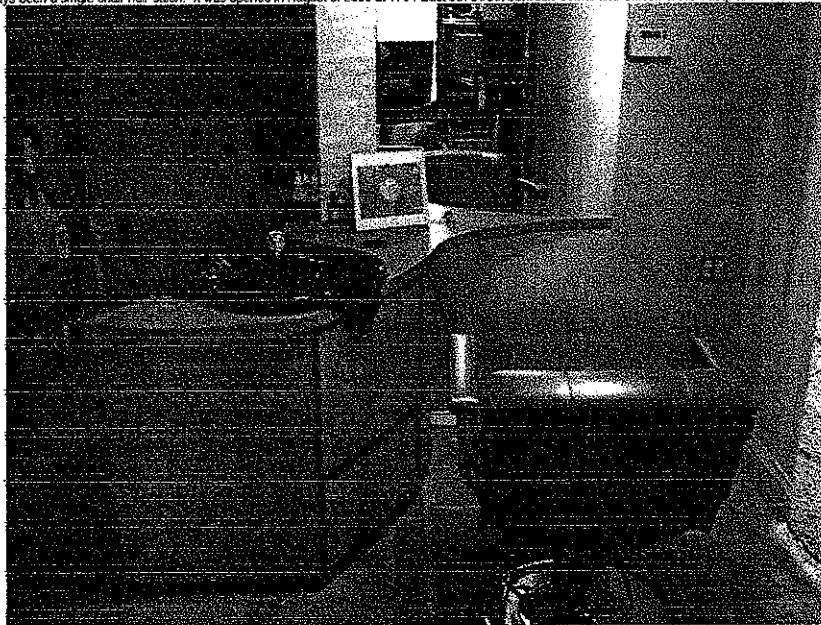
The property is located on a block in a corridor that is zoned MU, GR, CO, and falls within the Holly Neighborhood Plan. The block is facing the railway line that runs along East 5th. The block has a towing lot and auto mechanic shop on one end and a printing warehouse on the other end. There are five modest size home between them. This house is the second house from the eastern end of the block. There are no structures on the opposite side of the street. This makes street parking extremely plentiful. The house and property retain the look and feel of the houses on either side of it.

The following pictures and descriptions will show that the use of this house and property for a single chair hair salon serving one scheduled client per hour:

- 1) is the continuation of a business started in the year 2000 on East 5th street less than 3 blocks from the property concerned here- by a resident of this same neighborhood.
- 2) will not alter traffic volume noticeably, will not require clients to park in front of neighbor's property, and will not present any safety issues
- 3) is precisely the type of business that works well within the guidelines set forth in the Holly Neighborhood Plan
- 4) will not adversely effect the residential neighbors in appearance or use
- 5) does not require any additional parking and paving beyond what is needed for handicap accessibility at the front of the existing driveway; more impermeable cover would not be used.

The use of this house and property for a single chair hair salon serving one scheduled client per hour is the continuation of a business started in the year 2000 on East 5th street less than 3 blocks from the property concerned here- by a resident of this same neighborhood.

Platypus Hair Salon has always been a single chair hair salon. It was opened in August of 2000 at 1704 East 5th Street between Comal and Chicon in the Vesquez Plaza. Here is the interior of that space.



Here is the exterior of that building present day.



In 2009 East 5th Street was a dirt road with a sidewalk running across it at the intersection of Comal. I and a couple other concerned folks went before City Council in 2001 to request the sidewalk be given the proper curb out to allow traffic to reach our businesses traveling from west to east. Here is a picture of the sidewalk and paved street in present day.



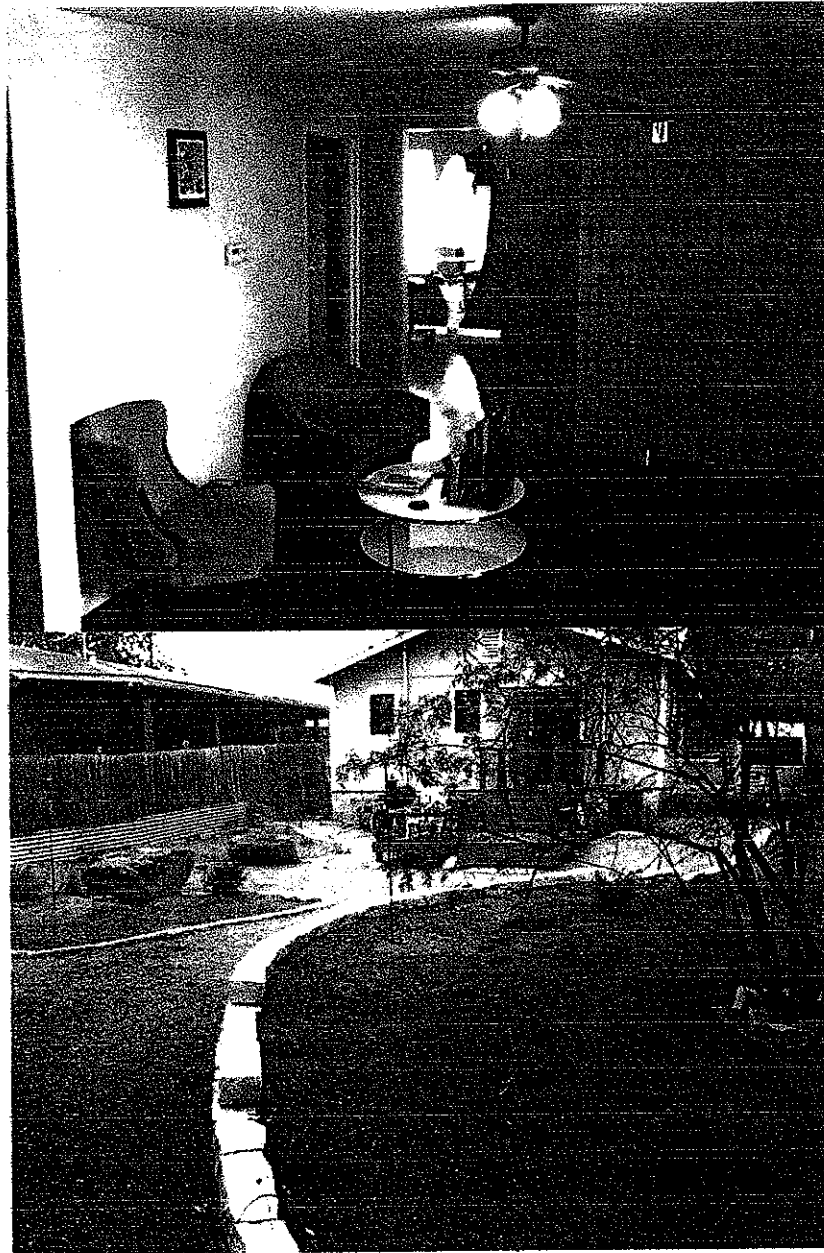
The salon was in operation on East 5th for 6 years. During that time the business grew to full productivity and even won an award in the Austin Chronicle. The lease expired and another lease was not forthcoming so an opportunity to rent a small space on Guadalupe was the right step to take next. Platypus Hair Salon operated for 2 1/2 years at 2204 Guadalupe. While working in this location I won another Chronicle award. I was forced to find a new place to work before the 5 year lease expired, though. No hot water reached the upstairs space anymore and the landlord would not remedy the situation. All plumbing in the building is connected and I did not have access to the plumbing that needed to be fixed. Here is the interior of that space.



I rented a chair at Kemestry Salon back on on the east side. Kemestry Salon is located at Robert Martinez Jr. and East 6th. A nice place and nice people, but my business is built on a quiet and personal experience for the clients. This was an unplanned move to a space that didn't support the same type of experience that has made me a success. Given my history of uncertainties involving leases, I decided I needed to own my place to work. I looked for spaces in East Austin and found many that would work. My house was now for sale to help finance this endeavor. It took over a year to sell my house. When it did sell I immediately purchased the house at 2515 East 5th.

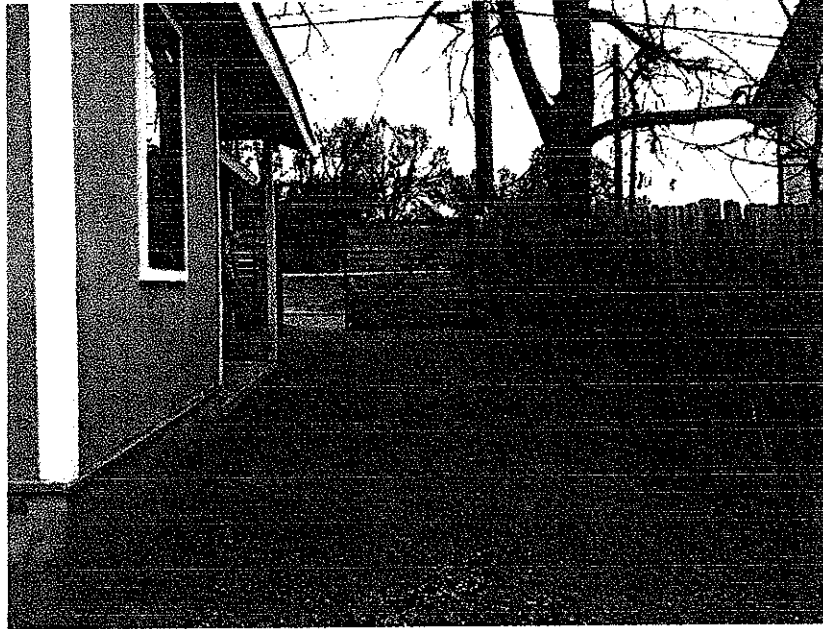
I chose this property because of its location and zoning. I interpreted the MUD zoning to allow for combined residential and commercial use of the property. My business was established on East 5th. Owning the property allows me to invest in the space without worry that I will have to move to re-invest in another space. Here are some current pictures of this property.





The use of this house and property for a single-chair hair salon serving one scheduled client per hour will not alter traffic volume noticeably, will not require clients to park in front of neighbor's property, and will not present any safety issues.

Clients are able to park in the existing driveway and on the street directly in front of the salon. The driveway is deep enough to park two cars. I park my car at the back end of the driveway and clients can park on the front end. This does not block the sidewalk. If the next client arrives before the previous client has left, the arriving client can park on the street. The driveway will be available to the next client in sequence.



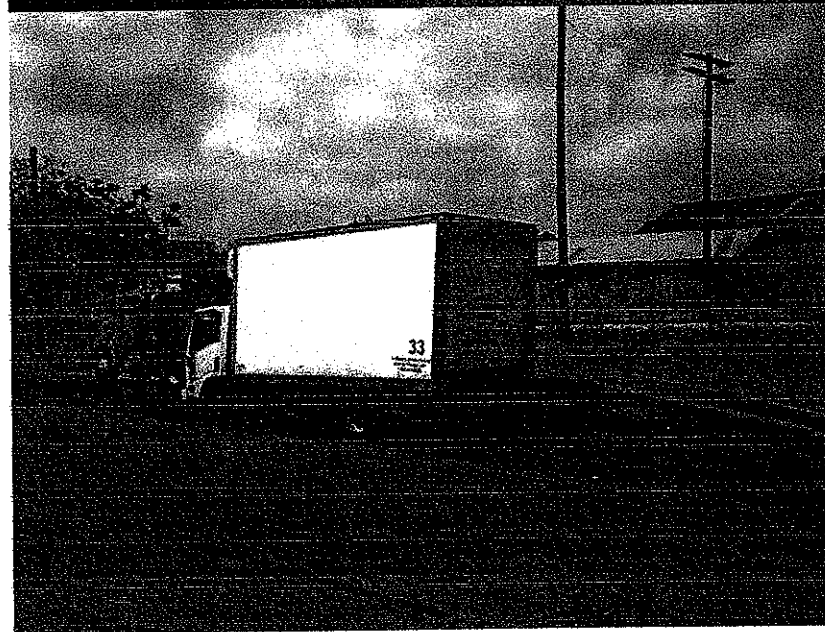
The parking space provided here is not counted as parking because it is not impermeable cover and requires the car to back out onto the street. However, this area of the driveway will be paved to provide smooth ground for wheelchair access to an ADA compliant ramp to be built to provide entry through the front door of the building. Backing out onto the street does not require the driver to expose their vehicle to the passing traffic before being able to see all vehicles traveling in either direction. This is because the street is extremely wide on this block.



As 5th Street continues eastward, the next block is the same width as the one my property is on. That block has designated street parking on both sides of the street as well as bicycle lanes.



I hope that the city will also stripe bike lanes and street parking on my block. Regardless, the street is wide enough to accommodate very large vehicles traveling next to parked cars with room to see all vehicles as one emerges from driveways.





The picture above shows the traffic calming hump that keeps traffic moving slow on this block. Notice the width of the street. There is a stop sign just beyond the fence on the right side of the picture. Every residence has a driveway that requires backing onto the street. Every residence can make use of the street parking in front of their property. Most clients are returning clients and know where to park. If a client ever does park in front of a neighbor's house, it would only be for one hour.

The use of this house and property for a single-chair hair salon serving one scheduled client per hour is precisely the type of business that works well within the guidelines set forth in the Holly Neighborhood Plan. in the "Neighborhood Character and Other Neighborhood Issues" section. Objective 9.1 is to "Promote the style of traditional gardens inherent to the neighborhood." in the "Transportation" section, Goal 6 is to "Maintain roadways and alleys for safe and efficient travel for pedestrians, bicycles, transit and autos." Having one customer park on the street does not impede safe and efficient travel for any of the above.

- In the Holly "Land Use" document, Goal 2 is to "Encourage opportunities to address compatibility between different residential, commercial and industrial uses."
- Under that goal, Objective 2.4 reads "Encourage locally owned/managed businesses."
- Objective 2.5 is to "Encourage appropriate uses and scale of commercial." This is very much a small scale business and just what the city would want, if we can take this document seriously.
- The next part of the document (starting p.12) talks about the three areas/corridors that have significant commercial use, the *Commercial Mixed-Use District* (5th/6th/ Chicon/Pleasant Valley) being one of them. Under the Commercial Mixed-Use District, Objective 1.1 reads "Promote the mix of uses within the Commercial Mixed-Use District and allow for a transition of uses from 6th Street to 5th Street."

Platypus Salon has been a locally owned and managed independent small business for ten years. Nearly seven years on East 5th. I've helped get a curb cut and a block paved. I've maintained the residential look and feel of my property at 2515 East 5th. The landscaping is tasteful and environmentally sound. I share a fence with neighbors who are customers. Years of doing business in East Austin means I have clients who live and work in the area. Positive relations with my neighbors is very important. Currently I have only one residential neighbor on my block. They have no complaints and like what I have done with the property.

The use of this house and property for a single-chair hair salon serving one scheduled client per hour will not adversely effect the residential neighbors in appearance or use. There is no aspect of this business that places a burden on or regularly inconveniences my immediate neighbors. There is no noise. There is sufficient parking on and in front of my property.

The use of this house and property for a single-chair hair salon serving one scheduled client per hour does not require any additional parking and paving beyond what is needed for handicap accessibility at the front of the existing driveway; more impermeable cover would not be used. If a customer drives to a business and is given the choice of parking in a shaded driveway beside the entry or directly in front rather than in a small parking area in the rear of a narrow lot, most times the customer will choose the easy and convenient parking nearest the front door. In this case, creating more impermeable coverage is wasteful, unnecessary, and goes directly against the City of Austin's need to reduce it's impermeable ground cover.

This case should set a precedent for responsible use of property zoned MU, SA, and CO along the East 5th corridor. There is no residential structure or property in this area that could provide the parking as required by the city code. For the Holly Neighborhood Plan to be enacted, variances to parking requirements must be made. Platypus Hair Salon can be an example of a residential-to-commercial conversion that reflects the values of respect for neighbors, stewardship of property, and support for small local businesses. It is the right type of business for this area.

I'm seeking a variance from city code parking requirements to enable me to change the usage and occupancy at my property at 2515 East 5th Street. I've been conducting a home based occupation for hair styling since the late summer of 2010. I am allowed to do this per city code 25-25905(Home Occupation), and am also allowed to have a small sign facing 5th street, since this has been deemed an official transit corridor by the city (25-10-156 Home Occupation Signs).

In late March of 2011 I received a call from a city code enforcement worker telling me that they had received a call stating there was a business in my house. I was told that I was okay doing work there, but would need to get a change of use permit. I no longer resided in the house after December of 2010.

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Because the surfaced area to be paved for this parking would include turning the existing two-car deep driveway into impermeable cover, the total is almost 1800 square feet. A site development survey exemption normally is allowable to 1000 square feet. The city code for Land Development(25-5-2 item D.1) states that this may extend to 3000 square feet if the cover is to allow for handicap access. A request for a survey exemption on the grounds that the majority of the new cover would be to allow handicap access to the business was denied. These architectural/civil engineering survey requirements greatly exceed financial feasibility for me.

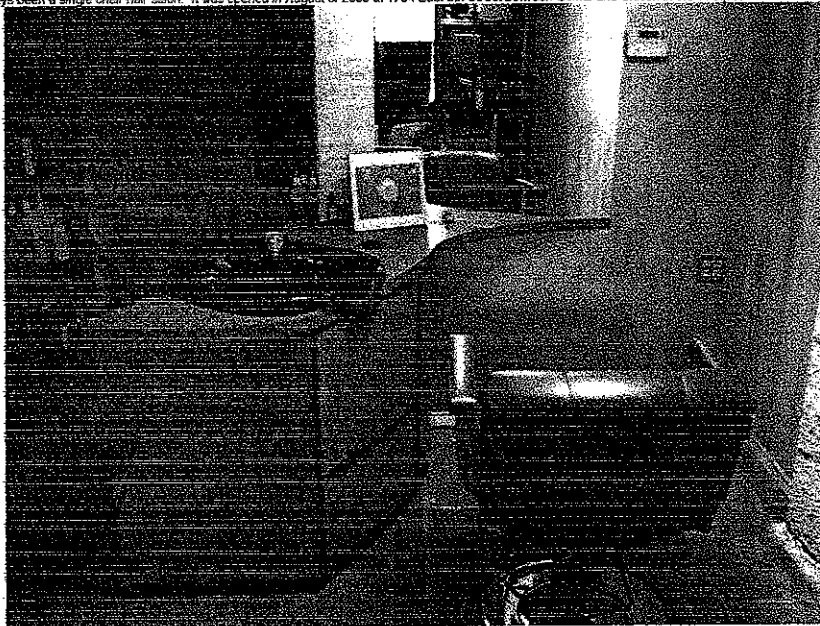
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Platypus Hair Salon has always been a single chair hair salon. It was opened in August of 2000 at 1704 East 5th Street between Comal and Chisum in the Vasquez Plaza. Here is the interior of that space.



Here is the exterior of that building present day.



In 2000 East 5th Street was a dirt road with a sidewalk running across it at the intersection of Comal. I and a couple other concerned folks went before City Council in 2001 to request the sidewalk be given the proper curb cut to allow traffic to reach our businesses traveling from west to east. Here is a picture of the sidewalk and paved street in present day.



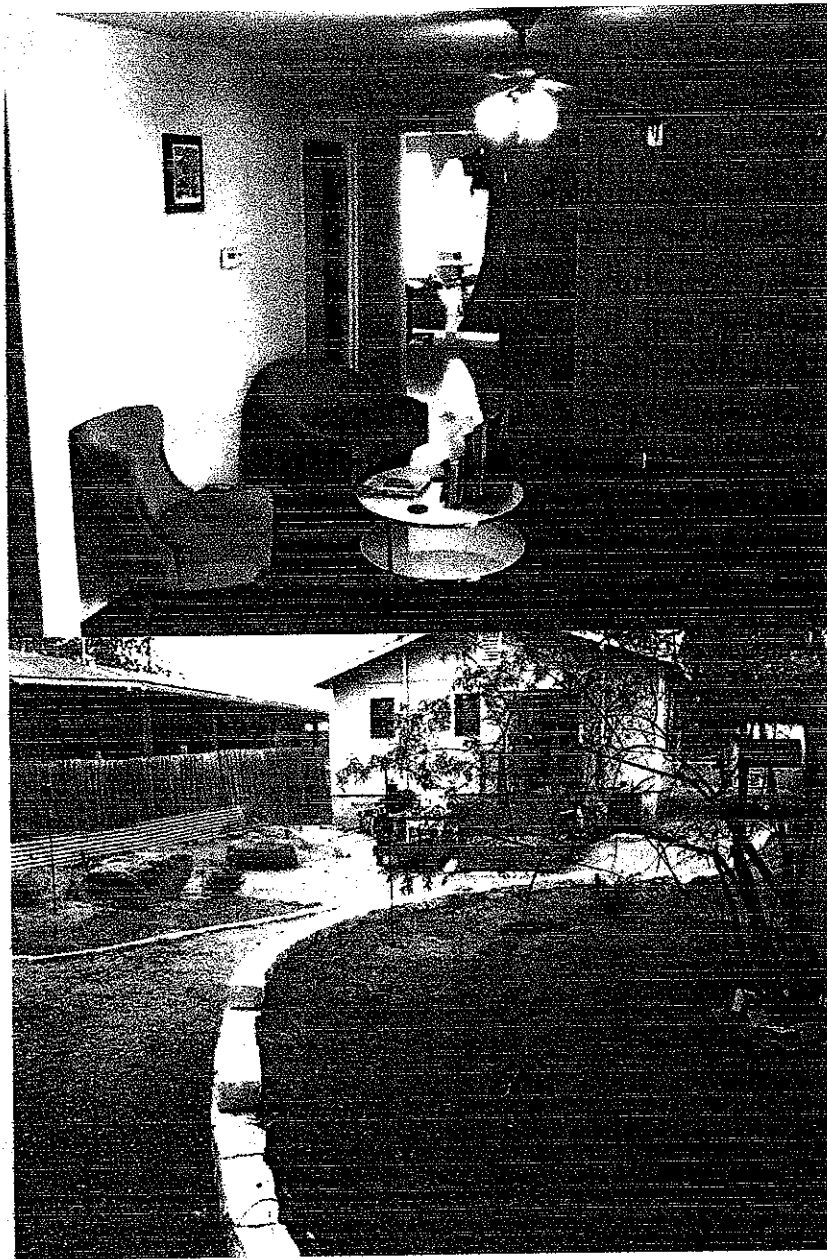
The salon was in operation on East 5th for 6 years. During that time the business grew to full productivity and even won an award in the Austin Chronicle. The lease expired and another lease was not forthcoming so an opportunity to rent a smaller space on Guadalupe was the right step to take next. Pletyus Hair Salon operated for 2 1/2 years at 2004 Guadalupe. While working in this location I won another Chronicle award. I was forced to find a new place to work before the 5 year lease expired, though. No hot water reached the upstairs space anymore and the landlord would not remedy the situation. All plumbing in the building is connected and I did not have access to the plumbing that needed to be fixed. Here is the interior of that space.



I rented a chair at Kermestry Salon back on on the east side. Kermestry Salon is located at Robert Martinez Jr. and East 6th. A nice place and nice people, but my business is built on a quiet and personal experience for the clients. This was an unplanned move to a space that didn't support the same type of experience that has made me a success. Given my history of uncertainties involving leases, I decided I needed to own my place to work. I looked for spaces in East Austin and found many that would work. My house was now for sale to help finance this endeavor. It took over a year to sell my house. When it did sell I immediately purchased the house at 2515 East 5th.

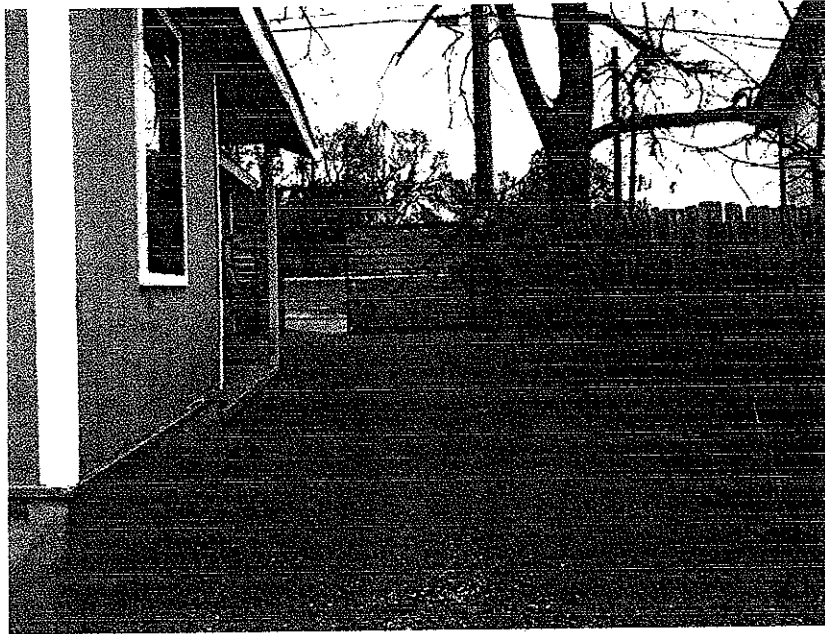
I chose this property because of it's location and zoning. I interpreted the MU zoning to allow for combined residential and commercial use of the property. My business was established on East 5th. Owning the property allows me to invest in the space without worry that I will have to move to re-invest in another space. Here are some current pictures of this property.



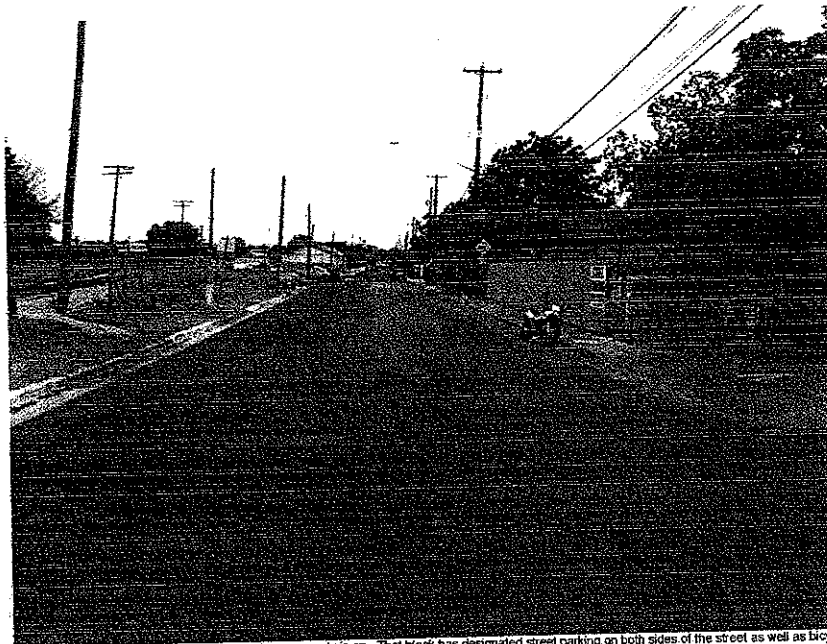


The use of this house and property for a single-chair hair salon serving one scheduled client per hour will not alter traffic volume noticeably, will not require clients to park in front of neighbor's property, and will not present any safety issues.

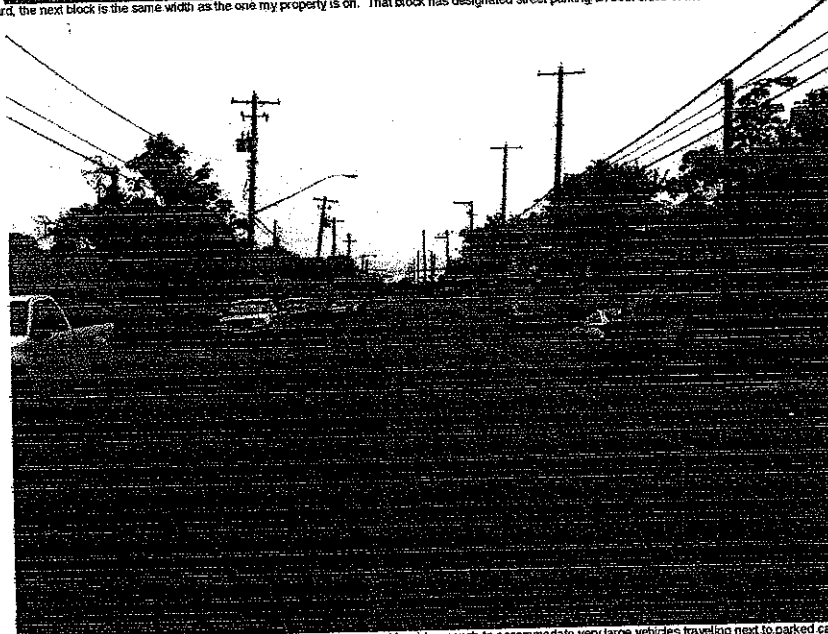
Clients are able to park in the existing driveway and on the street directly in front of the salon. The driveway is deep enough to park two cars. I park my car at the back end of the driveway and clients can park on the front end. This does not block the sidewalk. If the next client arrives before the previous client has left, the arriving client can park on the street. The driveway will be available to the next client in sequence.



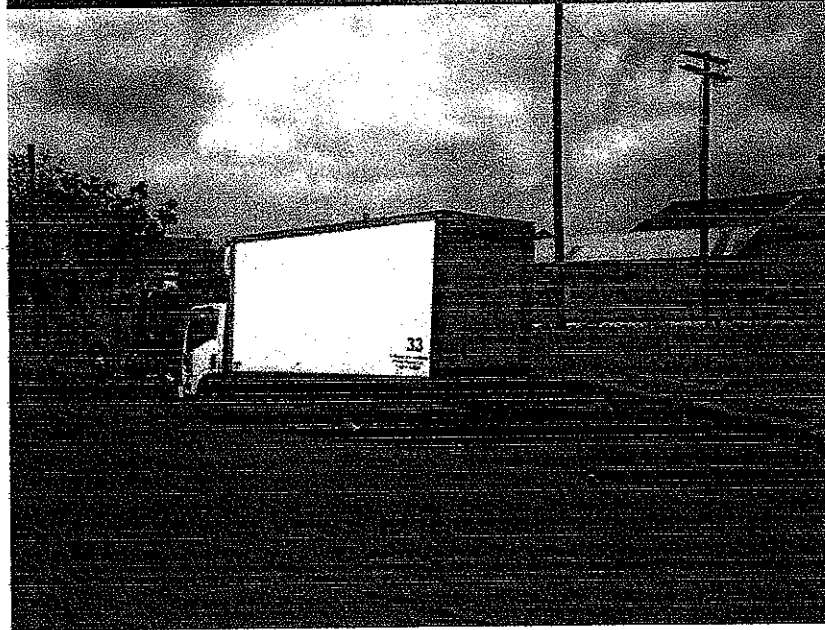
The parking space provided here is not counted as parking because it is not impermeable cover and requires the car to back out onto the street. However, this area of the driveway will be paved to provide smooth ground for wheelchair access to an ADA compliant ramp to be built to provide entry through the front door of the building. Backing out onto the street does not require the driver to expose their vehicle to the passing traffic before being able to see all vehicles traveling in either direction. This is because the street is extremely wide on this block.



As 6th Street continues eastward, the next block is the same width as the one my property is on. That block has designated street parking on both sides of the street as well as bicycle lanes.



I hope that the city will also shape bike lanes and street parking on my block. Regardless, the street is wide enough to accommodate very large vehicles traveling next to parked cars with room to see all vehicles as one emerges from driveways.





The picture above shows the traffic calming hump that keeps traffic moving slow on this block. Notice the width of the street. There is a stop sign just beyond the fence on the right side of the picture. Every residence has a driveway that requires backing onto the street. Every residence can make use of the street parking in front of their property. Most clients are returning clients and know where to park. If a client ever does park in front of a neighbor's house, it would only be for one hour.

The use of this house and property for a single-chair hair salon serving one scheduled client per hour is precisely the type of business that works well within the guidelines set forth in the Holly Neighborhood Plan. In the "Neighborhood Character and Other Neighborhood Issues" section, Objective 9.1 is to "Promote the style of traditional gardens inherent to the neighborhood." In the "Transit/Transportation" section, Goal 6 is to "Maintain roadways and alleys for safe and efficient travel for pedestrians, bicycles, transit and autos." Having one customer park on the street does not impede safe and efficient travel for any of the above.

- In the Holly "Land Use" document, Goal 2 is to "Encourage opportunities to address compatibility between different residential, commercial and industrial uses."
- Under that goal, Objective 2.4 reads "Encourage locally owned/managed businesses."
- Objective 2.5 is to "Encourage appropriate uses and scale of commercial." This is very much a small scale business and just what the city would want, if we can take this document seriously.
- The next part of the document (starting p.12) talks about the three areas/corridors that have significant commercial use, the **Commercial Mixed-Use District** (5th/6th/ Chicon/Pleasant Valley) being one of them. Under the Commercial Mixed-Use District, **Objective 1.1** reads "Promote the mix of uses within the Commercial Mixed-Use District and allow for a transition of uses from 6th Street to 5th Street."

Platypus Salon has been a locally owned and managed independent small business for ten years. Nearly seven years on East 5th. I've helped get a curb cut and a block paved. I've maintained the residential look and feel of my property at 2515 East 5th. The landscaping is tasteful and environmentally sound. I share a fence with neighbors who are customers. Years of doing business in East Austin means I have clients who live and work in the area. Positive relations with my neighbors is very important. Currently I have only one residential neighbor on my block. They have no complaints and like what I have done with the property.

The use of this house and property for a single-chair hair salon serving one scheduled client per hour will not adversely effect the residential neighbors in appearance or use. There is no aspect of this business that places a burden on or regularly inconveniences my immediate neighbors. There is no noise. There is sufficient parking on and in front of my property.

The use of this house and property for a single-chair hair salon serving one scheduled client per hour does not require any additional parking and paving beyond what is needed for handicap accessibility at the front of the existing driveway. more impermeable cover would not be used. If a customer drives to a business and is given the choice of parking in a shaded driveway beside the entry or directly in front rather than in a small parking area in the rear of a narrow lot, most times the customer will choose the easy and convenient parking nearest the front door. In this case, creating more impermeable coverage is wasteful, unnecessary, and goes directly against the City of Austin's need to reduce it's impermeable ground cover.

This case should set a precedent for responsible use of property zoned MH, GR, and CO along the East 5th corridor. There is no residential structure or property in this area that could provide the parking as required by the city code. For the Holly Neighborhood Plan to be enacted, variances to parking requirements must be made. Platypus Hair Salon can be an example of a residential-to-commercial conversion that reflects the values of respect for neighbors, stewardship of property, and support for small local businesses. It is the right type of business for this area.